

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY HARP,

Plaintiff,

v.

KRISTINE AUSTIN, *et al.*,

Defendants.

Case No. 21-12446

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
JULY 19, 2022 REPORT AND RECOMMENDATION [26]**

This is a pro se prisoner civil rights lawsuit filed under 42 U.S.C. § 1983 by Plaintiff Anthony Harp alleging violations of the Eighth Amendment, the Americans with Disabilities Act, and the Rehabilitation Act. (ECF No. 1.) The case has been referred to Magistrate Judge Jonathan J.C. Grey for all pre-trial matters. (ECF No. 6.) Some of the named defendants have already been dismissed from this action, but Defendants Kristine Austin, Sirena Landfair, and Corizon Health, Inc. remain. (ECF No. 24.) Before the Court is the Magistrate Judge's report and recommendation to grant Defendant Landfair's motion for summary judgment on the basis of exhaustion. (ECF No. 26.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at *2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court agrees with the Magistrate Judge's recommendation. The Court, therefore, ACCEPTS AND ADOPTS the report and

recommendation (ECF No. 26). Accordingly, Defendant Landfair is DISMISSED from this matter.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: August 15, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 15, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager